

United States District Court

for the

REC'D PROB

Eastern District of Pennsylvania

JUN 13 PM 4:01

U.S.A. vs. Ruth ArnaoCase No. 2:06CR00319-04**Petition on Supervised Release**

USDC-PHILA

COMES NOW Jonathan J. Henshaw U.S. PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Ruth Arnao who was placed on Supervised Release by the Honorable Ronald L. Buckwalter sitting in the Court at Philadelphia, PA, on the 21st day of July, 2009 who fixed the period of supervision at three years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

ORIGINAL OFFENSE: Conspiracy to commit mail fraud (Count 65); mail fraud (Counts 66 - 90); wire fraud (Counts 91 - 98); conspiracy to obstruct the Internal Revenue Service (Count 99); filing a false tax return (Counts 100 and 102); conspiracy to obstruct justice (Count 109); and obstruction of justice (Counts 121, 124, 126, 127, 129, 132, and 134).

ORIGINAL SENTENCE: Custody of the Bureau of Prisons for one year and one day on all counts, all to run concurrently to one another, to be followed by three years' supervised release. The Court also imposed a \$4,500 special assessment.

SPECIAL CONDITIONS: 1) The defendant shall pay a fine in the amount of \$45,000, and
2) The defendant shall pay joint and several restitution in the amount of \$792,802.42.

SUPERVISION COMMENCED: July 14, 2010.

RE-SENTENCING: On November 16, 2011, the defendant was re-sentenced to the same term of imprisonment, supervised release, special assessment, and fine, as indicated above. An additional \$783,264.00 in restitution was imposed, and ordered to be paid in accordance with the instruction of the U.S. Probation Officer. On April 26, 2012, the Court ordered that the defendant shall receive credit for the time served beginning on July 14, 2010, and the monthly restitution payment schedule was set at \$1,000.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Since the commencement of her supervision, the offender has complied with the conditions of her supervised release. She has remained arrest free, regularly submitted her Monthly Supervision Reports, and maintained contact with this officer.

Ms. Arnao has been employed on a full-time basis for all but nine weeks. During that time, the offender left her position with Voicenet Communication Inc., on May 20, 2011, for what was a verified job offer from Franklin Towne Charter School, with a scheduled start date in July 2011. However, after the charter school board learned of her felony convictions from the instant federal case, the employment offer was rescinded. Since July 29, 2011, the offender has worked at Life Choice Hospice. With her net monthly income of \$3,179, and the financial support of her husband, Mitchell Rubin, the offender has satisfied her special assessment and her fine. Additionally, the offender has complied with the restitution payment schedule since the Re-sentencing Hearing on November 16, 2011. Prior to that hearing, the majority of the \$792,802.42 in restitution that was originally imposed had been paid by co-defendant, Vincent J. Fumo. To date, and in addition to her special assessment and fine, the offender has paid a total of \$15,261.34 in restitution, leaving an outstanding balance of \$768,011.60.

The offender's term of supervised release is scheduled to expire on September 13, 2013, and we anticipate that a restitution balance will remain outstanding. The offender will continue to be supervised through the supervision termination date with monthly payments being submitted to probation, and directly to the Clerk, U.S. District Court, after her supervised release expires. Should any violative behavior occur, we will immediately bring this to the Court's attention. Furthermore, the offender will be instructed to cooperate with the Financial Litigation Unit of the U.S. Attorney's Office.

On May 30, 2013, Assistant U.S. Attorney Robert A. Zauzmer, Esquire, noted no objections to the offender's term of supervised release expiring with an outstanding restitution balance, despite the fact that there continues to be ongoing litigation regarding the final restitution figure that the offender will ultimately be responsible to pay. The following prayer is offered for the Court's consideration.

PRAYING THAT THE COURT WILL ORDER... THAT SUPERVISED RELEASE BE ALLOWED TO TERMINATE AS SCHEDULED ON SEPTEMBER 13, 2013, WITH AN OUTSTANDING RESTITUTION BALANCE.

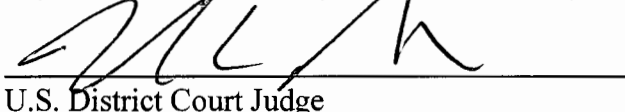
I declare under penalty of perjury that the foregoing is true and correct.



Debra A. Brink
Supervising U.S. Probation Officer
Place: Philadelphia, PA
Date: June 3, 2013

JJH
cc: Assistant U.S. Attorney
Defense Attorney

ORDER OF THE COURT
Considered and ordered this 13
day of JUNE, 2013 and ordered
filed and made part of the records in the above case.


U.S. District Court Judge